IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

Bail Appl..No. 4216 of 2007()

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(CRIME NO.202/2007 OF MEDICAL COLLEGE POLICE STATION ,KOZHIKODE

: PETITIONER/2ND ACCUSED

PARAMESWARAN, S/O.APPUTTY, AGED 41
YEARS, PARAYARUKANDY HOUSE, P.O.NELLICODE,
KOZHIKODE TALUK.

BY ADV. SRI.VINOD SINGH CHERIYAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTING S.I. OF POLICE,
MEDICAL COLLEGE POLICE STATION, KOZHIKODE
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4216 of 2007

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Dated this the 11th day of July, 2007

ORDER

The petitioner is the 2nd accused. Altogether there are 4 accused persons. Two of the co-accused have already been arrested and enlarged on bail. The crux of the allegations is that a car driven by the defacto complainant was involved in a road traffic accident. Some local persons allegedly caused damage to the car and took away costly articles from the car. The petitioner is allegedly one of the four persons who indulged in the contumacious overt acts. His name is in the FIR, as one of the miscreants. The alleged incident took place on 20.5.07. Accordingly to the petitioner, he who is a social worker of the locality and he had only tried to settle the matter amicably. He was not involved in any violent acts. On coming to know that the petitioner has been arrayed as an accused, the petitioner surrendered before the learned Magistrate on 19.6.07. He continues in custody from that date. The co-accused and two other persons who were arrested later have been enlarged on bail. But the successive applications of the petitioner were rejected and the petitioner remains in custody. The learned counsel for the petitioner, in these circumstances submits that further detention of the petitioner is totally unnecessary. He may be

enlarged on bail, he prays.

2. The learned Public Prosecutor does not oppose the application. In the facts and circumstances of the case, bail may be granted but only subject to strict and appropriate conditions, submits the learned Public Prosecutor . I am satisfied that the petitioner can now be enlarged on bail. In the nature and circumstances of the case, it is not necessary to advert to facts in any greater detail.

3. In the result, this application is allowed. The petitioner shall now be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

Hand over a copy of this order to the learned counsel for the petitioner, today itself.

(R.BASANT, JUDGE)

sj